

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:04CR108
)	
v.)	
)	
COREY L. KNIGHT,)	MEMORANDUM AND ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on defendant's motion for rehearing and clarification (Filing No. 53) and motion for reconsideration of the Court's denial of defendant's 28 U.S.C. § 2255 motion and to amend his prior § 2255 motion to include an ineffective assistance of counsel claim (Filing No. 54). The Court denied defendant's motion to vacate, set aside, or correct his sentence under 28 U.S.C. § 2255 on January 18, 2007 (Filing No. 52).

The Court finds that defendant's motion to amend should be denied for the following reasons: (1) defendant's motion to amend was not filed until after the Court denied the motion and defendant received the order; (2) the motion to amend was filed more than one year after the Court entered final judgment against the defendant on the underlying conviction; and (3) the Court construes defendant's motion as a successive § 2255 motion.

The Court will also deny defendant's motion for clarification and reconsideration because they fail to identify what defendant seeks to be clarified. Accordingly,

IT IS ORDERED:

1) Defendant's motion for rehearing and clarification (Filing No. 53) is denied; and

2) Defendant's motion for reconsideration and to amend his 28 U.S.C. § 2255 motion is denied.

DATED this 29th day of March, 2007.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court